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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **ARB.P. 851/2025**

ECI ENGINEERING AND CONSTRUCTION CO. LTD.

.....Petitioner

Through: Mr. Salil Sinha, Mr. Vipul Kumar
Sharma, Mr. Sahil Chandra, Mr. Kushal and Ms.
Stuti Jain, Advocates.

versus

**NATIONAL HIGHWAYS AND INFRASTRUCTURE
DEVELOPMENT CORPORATION LTD.**

.....Respondent

Through: Mr. Anshul Rai, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

13.08.2025

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1. This petition is filed on behalf of the Petitioner under Section 11(6) of the Arbitration and Conciliation Act, 1996 ('1996 Act') for appointment of nominee Arbitrator of the Respondent.

2. Disputes between the parties have emanated from a Contract executed on 09.04.2015 for development and upgradation of 4-laning of NH 52A from Gohpur to Holangi in the State of Assam on EPC mode. Petitioner invoked the arbitration agreement incorporated in the Contract and sent notice dated 14.02.2025 under Section 21 of 1996 Act proposing the name of Mr. Justice Deepak Verma, former Judge of the Supreme Court and calling upon the Respondent to appoint its nominee Arbitrator. Simultaneously, negotiation meetings were also ongoing between the parties, however, when no fruitful result was forthcoming, Petitioner approached this Court.



3. Learned counsel for the Respondent, on instructions, submits that Respondent has nominated Dr. C. Chandramouli, IAS as its nominee Arbitrator.
4. Accordingly, with the consent of the parties, Mr. Justice Deepak Verma, former Judge of the Supreme Court of India (Mobile Nos. 9717393521 and 9978988833) is appointed as nominee Arbitrator of the Petitioner and Dr. C. Chandramouli, IAS, (Mob. No. 9818816790) is appointed as nominee Arbitrator of the Respondent. The nominee Arbitrators shall appoint the Presiding Arbitrator within four weeks from today. Fee of the Arbitrators, as agreed by the parties, shall be fixed as per Fourth Schedule of 1996 Act.
5. Learned Arbitrators shall give disclosure under Section 12 of the 1996 Act before entering upon reference.
6. It is made clear that this Court has not expressed any opinion on the merits of the case and all rights and contentions of the respective parties are left open.
7. Petition is disposed of in the aforesaid terms.

JYOTI SINGH, J

AUGUST 13, 2025/Shivam